

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE LITIGATION))	MDL No. 1456
_____)	
THIS DOCUMENT RELATES TO ALL)	CIVIL ACTION: 01-CV-12257-PBS
CLASS ACTIONS)	
01-CV-12257-PBS AND 01-CV-339)	
_____)	

**PLAINTIFFS' PROPOSED CASE MANAGEMENT ORDER NO. 22 REGARDING
POST CLASS CERTIFICATION PROCEEDINGS FOR THE PHASE 1 DEFENDANTS**

_____, 2006

Saris, U.S.D.J.

IT IS HEREBY ORDERED as follows:

1. Summary-judgment motions shall be filed by May 1, 2006.

For any such motions the parties shall file a consolidated brief on overlapping issues not to exceed 40 pages and may file individual briefs not to exceed 15 pages.

2. Oppositions shall be served by June 2, 2006.

3. Replies shall be served by June 16, 2006.

4. Any motions directed to the admissibility of expert testimony shall be filed by July 15, 2006.

5. Opposition to such motions shall be filed by August 15, 2006.

6. Replies shall be filed by September 2, 2006.

7. The first trial shall commence on November 1, 2006 against AstraZeneca and shall be limited to three weeks as shall all trials.

8. The second trial shall commence against BMS on January 15, 2007.

9. The third trial shall commence on March 1, 2007 against GSK.
10. The fourth trial shall commence on April 15, 2007 against the J&J Group.
11. The fifth trial shall commence on June 1, 2007 against the Schering Group.

To the extent a defendant settles, that defendant's trial date will be assigned to the next defendant in line (*e.g.*, if BMS settled, GSK would start on January 15, 2007).

PATTI B. SARIS
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **PLAINTIFFS' PROPOSED CASE MANAGEMENT ORDER NO. 22 REGARDING POST CLASS CERTIFICATION PROCEEDINGS FOR THE PHASE 1 DEFENDANTS** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on January 26, 2006, a copy to LexisNexis File and Serve for Posting and notification to all parties

By /s/ Steve W. Berman
Steve W. Berman

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